

**UNITED STATES BANKRUPTCY COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

IN RE: DANIEL J PRUSSMAN  
AKA: DANIEL JOSEPH PRUSSMAN  
NICOLE M PRUSSMAN  
AKA: NICOLE MARIE PRUSSMAN,  
NICOLE BELLMUND, NICOLE M.  
BELLMUND

CHAPTER 13

Debtor(s)

CHARLES J. DEHART, III  
CHAPTER 13 TRUSTEE  
Movant

CASE NO: 5-17-01246-JJT

vs.

DANIEL J PRUSSMAN  
AKA: DANIEL JOSEPH PRUSSMAN  
NICOLE M PRUSSMAN  
AKA: NICOLE MARIE PRUSSMAN,  
NICOLE BELLMUND, NICOLE M.  
BELLMUND

Respondent(s)

**TRUSTEE'S MOTION TO DISMISS CASE**

AND NOW, on October 23, 2017, comes Charles J. DeHart, III, Standing Chapter 13 Trustee, by and through his attorney Agatha R. McHale, Esquire, and respectfully represents the following:

1. A Plan was filed on May 23, 2017.
2. A Confirmation hearing was held and an Order was entered on August 8, 2017 directing that an amended plan be filed within thirty (30) days.
3. As of the date of this Motion, an amended plan has not been filed.
4. The delay in filing a confirmable plan in this case is prejudicial to creditors.

WHEREFORE, your Trustee respectfully requests your Honorable Court dismiss the case upon the basis that Debtors have failed to propose a confirmable Plan.

Respectfully submitted,

s/ Agatha R. McHale, Esq.

Id: 47613

Attorney for Trustee

Charles J. DeHart, III

Standing Chapter 13 Trustee

Ste. A, 8125 Adams Drive  
Hummelstown, PA 17036  
Ph. 717-566-6097  
Fax. 717-566-8313  
eMail: amchale@pamd13trustee.com

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NICOLE BELLMUND, NICOLE M.  
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**NOTICE**

NOTICE IS HEREBY GIVEN that Charles J. DeHart, III, Standing Chapter 13 Trustee for the Middle District of Pennsylvania has filed a Motion to Dismiss for failure to file a confirmable Chapter 13 Plan.

YOU ARE HEREBY NOTICED that a hearing has been scheduled on this matter for:

U.S. Bankruptcy Court Max Rosenn U.S. Courthouse Courtroom #2 197 S. Main Street Wilkes Barre, PA	Date: December 5, 2017  Time: 09:35 AM
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Any objection or response filed must be filed with the Clerk, U.S. Bankruptcy Court and served on the Chapter 13 Trustee.

Charles J. DeHart, III, Trustee  
8125 Adams Drive, Suite A  
Hummelstown, PA 17036  
Phone: (717) 566-6097  
Email: dehartstaff@pamd13trustee.com

Dated: October 23, 2017

**UNITED STATES BANKRUPTCY COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

IN DANIEL J PRUSSMAN  
RE: AKA: DANIEL JOSEPH  
PRUSSMAN CHAPTER 13  
NICOLE M PRUSSMAN  
AKA: NICOLE MARIE  
PRUSSMAN, NICOLE  
BELLMUND, NICOLE M. CASE NO: 5-17-01246-JJT  
BELLMUND

Debtor(s)

CHARLES J. DEHART, III  
CHAPTER 13 TRUSTEE  
Movant

**CERTIFICATE OF SERVICE**

AND NOW, on October 23, 2017, I, Vickie Williams, hereby certify that I served a copy of the Trustee's Motion to Dismiss, Notice, and Proposed Order either electronically or by depositing a true and correct copy of the same in the United States Mail at Hummelstown, Pennsylvania, first class mail, postage prepaid, addressed to the following:

KIM M DIDDIO ESQUIRE  
17 N 6TH STREET  
STROUDSBURG, PA 18360-

DANIEL J PRUSSMAN  
NICOLE M PRUSSMAN  
PO BOX 364  
SCOTRUN, PA 18355-0364

Respectfully Submitted,  
s/ Vickie Williams  
for Charles J. DeHart, III, Trustee  
8125 Adams Drive, Suite A  
Hummelstown, PA 17036  
Phone: (717) 566-6097  
Email: dehartstaff@pamd13trustee.com

Dated: October 23, 2017

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Respondent(s)

**ORDER DISMISSING CASE**

Upon consideration of the Trustee's Motion to Dismiss, it is hereby Ordered that the above-captioned bankruptcy be and hereby is dismissed.